

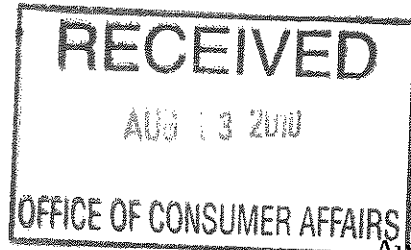
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August 11, 2010

Barbara Anthony, Esquire, Undersecretary
Office of the Consumer Affairs and Business Regulation
Ten Park Plaza, Suite 5170
Boston, MA 02116

Re: **REPORT PURSUANT TO MASS.GEN.L.CH.93H**

Dear Undersecretary Anthony:

Pursuant to Mass. Gen. L. ch. 93H, this letter is to notify you of a breach of security involving the Personal Information (as defined in the statute) of Massachusetts residents.

NATURE OF THE SECURITY BREACH

On July 30, 2010, while an of counsel attorney who performs services for our clients was away from her locked residence in Lincoln, Massachusetts, the residence was broken into, and among other items, two laptop computers and a thumb drive were stolen. Among the information on those computers were the Personal Information of 9 Massachusetts residents who are our clients or related names. The attorney had such Personal Information in connection with her performance of legal services for us (in part out of her house) with a specialty in estate planning and administration.

NUMBER OF MASSACHUSETTS RESIDENTS AFFECTED

After a thorough review of available copies of the records on the computer hard drive, the attorney has determined that the Personal Information of 9 Massachusetts residents used in connection with services performed for this firm was involved. In addition, the personal information of 2 non-residents was involved.

STEPS TAKEN RELATING TO THE INCIDENT

The attorney has already taken the following steps in response to this incident:

- Report to Lincoln, MA Police;
- Engagement of outside counsel;
- Notification to us;

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- Adoption and continuing improvement of hands-on security features in accordance with 201 CMR 17 to protect all personal information used for her work for us including information on computers (all on encrypted or non-portable devices), to be reviewed in conjunction with development and implementation of a WISP for her law practice;
- Arranging for one year of free credit monitoring services for all affected persons described in this letter, including residents and non-residents (at the attorney's cost).

We will send each affected Massachusetts resident (and non-residents) a notification, as required by Mass. Gen. L. ch. 93H, substantially in the form attached.

We are working on, or plan to take, the following steps in response to this incident:

- Improvement of our WISP implementation program to better educate attorneys, employees and others and to improve safeguarding of personal information in accordance with 201 CMR 17;
- Working to improve hands-on procedures to better protect personal information used by attorneys, employees and others in accordance with 201 CMR 17.

OTHER NOTIFICATIONS


In addition to the notifications to consumers noted above, I am simultaneously sending a similar notification letter to Attorney General Martha Coakley, Office of the Massachusetts Attorney General.

CONTACT INFORMATION

If you have any questions about this matter, please contact me. My contact information:

William J. Hunt, Clark, Hunt, Ahern & Embry, 55 Cambridge Parkway, Cambridge, MA 02142; Tel: (617) 494-1920 Email: whunt@chelaw.com.

Sincerely,



William J. Hunt

Enclosure: Letter to Massachusetts Residents

cc: David A. Murray, Esq.
General Counsel, MA Office of Office of Consumer Affairs and Business Regulation

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Sample letter to affected person

August __, 2010

AFFECTED PERSON's address

IMPORTANT NOTICE REGARDING YOUR PERSONAL INFORMATION

Dear _____:

The Incident

This is to notify you that a breach of security that involved your personal information occurred on July 30, 2010.

We have no indication that your personal information has been misused, but we are writing to let you know about your rights under the circumstances and some steps you can take to try to prevent any identity theft.

Your Right to Police Reports

Under Massachusetts law, you have the right to obtain any police report filed in connection with this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

Your Right to a Credit Security Freeze

Massachusetts law also allows consumers to place a security freeze on their credit reports. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services.

If you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit reporting agency may charge you up to \$5.00 to place, temporarily lift, or permanently remove a security freeze.

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To place a security freeze on your credit report, you must send a written request to each of the three major consumer reporting agencies: Equifax (www.equifax.com); Experian (www.experian.com); and TransUnion (www.transunion.com) by regular, certified or overnight mail at the addresses below:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013

Trans Union Security Freeze
Fraud Victim Assistance Department P.O. Box 6790
Fullerton, CA 92834

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security Number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address such as a current utility bill or telephone bill;
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;
8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express or Discover only). Do not send cash through the mail.

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with a unique personal identification number (PIN) or password, or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and social security number) and the PIN number or password provided to you when you placed the security freeze as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must send a written request to each of the three credit bureaus

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by mail and include proper identification (name, address, and social security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze.

FREE CREDIT MONITORING SERVICES

To enable you to detect any misuse of your information, you will be provided with a full year of credit monitoring at no cost to you. We will send details about how to enroll in this in a follow-up letter.

For More Information

For more information on identity theft risks and Massachusetts law, please see the Massachusetts Attorney General's web site at <http://www.mass.gov/?pageID=cagosubtopic&L=3&L0=Home&L1=Consumer+Protection&L2=Scams+and+Identity+Theft&sid=Cago>.

You may also want to visit the Federal Trade Commission's identity theft web site for more information: <http://www.ftc.gov/bcp/edu/microsites/idtheft/>

We take this incident very seriously and deeply regret that it happened. We apologize for any inconvenience or concern it may cause you. Please be assured that we are taking numerous steps to avoid any recurrence.

Please do not hesitate to contact me at (617) 494-1920 with any questions or concerns.

Very truly yours,

Martha B. G. Lufkin